

Calendar No. 952

110TH CONGRESS
2D SESSION**S. 3328****[Report No. 110–454]**

To amend the Homeland Security Act of 2002 to provide for a one-year extension of other transaction authority.

IN THE SENATE OF THE UNITED STATES

JULY 24 (legislative day, JULY 23), 2008

Ms. COLLINS (for herself and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 11, 2008

Reported by Mr. LIEBERMAN, without amendment

A BILL

To amend the Homeland Security Act of 2002 to provide for a one-year extension of other transaction authority.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ONE-YEAR EXTENSION OF OTHER TRANS-**
4 **ACTION AUTHORITY.**

5 Section 831 of the Homeland Security Act of 2002
6 (6 U.S.C. 391(a)) is amended—

1 (1) in subsection (a)—

2 (A) by striking “Until September 30,
3 2008, the Secretary may carry out a pilot pro-
4 gram” and inserting “If the Secretary issues
5 policy guidance by September 30, 2008, detail-
6 ing the appropriate use of other transaction au-
7 thority and provides mandatory other trans-
8 action training to each employee who has the
9 authority to handle procurements under other
10 transaction authority, the Secretary may, before
11 September 30, 2009, carry out a program”; and

12 (B) in paragraph (1), by striking “sub-
13 section (b)” and inserting “subsection (b)(1)”;
14 (2) in subsection (b)—

15 (A) by striking “(b) REPORT.—Not later
16 than 2 years” and inserting “(b) REPORTS.—
17 “(1) IN GENERAL.—Not later than 2 years”;

18 (B) by redesignating paragraphs (1) and
19 (2) as subparagraphs (A) and (B), respectively,
20 and realigning such subparagraphs, as so redes-
21 ignated, so as to be indented 4 ems from the
22 left margin; and

23 (C) by adding at the end the following new
24 paragraph:

1 “(2) ANNUAL REPORT ON EXERCISE OF OTHER
2 TRANSACTION AUTHORITY.—

3 “(A) IN GENERAL.—The Secretary shall
4 submit to the Committee on Homeland Security
5 and Governmental Affairs of the Senate and the
6 Committee on Homeland Security of the House
7 of Representatives an annual report on the ex-
8 ercise of other transaction authority under sub-
9 section (a).

10 “(B) CONTENT.—The report required
11 under subparagraph (A) shall include the fol-
12 lowing:

13 “(i) The technology areas in which re-
14 search projects were conducted under other
15 transactions.

16 “(ii) The extent of the cost-sharing
17 among Federal and non-Federal sources.

18 “(iii) The extent to which use of the
19 other transactions—

20 “(I) has contributed to a broad-
21 ening of the technology and industrial
22 base available for meeting the needs
23 of the Department of Homeland Secu-
24 rity; and

1 “(II) has fostered within the
2 technology and industrial base new re-
3 lationships and practices that support
4 the national security of the United
5 States.

6 “(iv) The total amount of payments,
7 if any, that were received by the Federal
8 Government during the fiscal year covered
9 by the report.

10 “(v) The rationale for using other
11 transaction authority, including why grants
12 or Federal Acquisition Regulation-based
13 contracts were not used, the extent of com-
14 petition, and the amount expended for
15 each such project.”.

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